



Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2)

The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this Determination under subsection 7 (1) of the *Radiocommunications (Transmitter Licence Tax) Act 1983*.

Dated 26 November 2003

R HORTON
Chair

A HORSLEY
Deputy Chair

Australian Communications Authority

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Part 1 Preliminary

1.1 Name of Determination

This Determination is the *Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2)*.

1.2 Commencement

This Determination commences on 1 December 2003.

Note This Determination does not apply to all transmitter licence tax. Part 3 sets out transitional arrangements for tax that was imposed on the issue, anniversary and holding of a licence that came into force before 15 December 2003.

1.3 Definitions — the Dictionary

- (1) The dictionary at the end of this Determination defines certain words and expressions, and includes references to certain words and expressions that are defined in:
 - (a) the Act; or
 - (b) the *Radiocommunications (Interpretation) Determination 2000*, made by the ACA under section 54 of the *Australian Communications Authority Act 1997*; or
 - (c) the *Radiocommunications Regulations 1993*; or
 - (d) the *Telecommunications Act 1997*.
- (2) The dictionary is part of this Determination.
- (3) A definition in this Determination applies to each use of the word or expression in the Determination, unless the contrary intention appears.

Section 2.1

Part 2 Working out transmitter licence tax

2.1 Using Schedules 1, 2, 3 and 4

- (1) Schedule 1 sets out the area densities to be used in working out transmitter licence tax.
- (2) Schedule 2 sets out the general tax tables to be used to work out transmitter licence tax for certain licences.

Note Several Parts of Schedule 3 use the general tax tables.

- (3) Schedule 3 explains the annual amounts that are used to work out transmitter licence tax.

Note 1 Each Part of Schedule 3 identifies the types of transmitter licences to which it applies.

Note 2 The annual amount of tax is the amount of tax usually payable for 1 spectrum access authorised under a licence for 1 year. However, the amount may be modified to reflect factors such as the period of the licence, the power of the transmitter and whether the licensee is an eligible person.

- (4) Schedule 4 explains how to use the annual amounts to work out the amount of transmitter licence tax for a particular licence period.

2.2 Working out tax

To work out an amount of transmitter licence tax:

- (a) identify the Part of Schedule 3 that applies to the type of licence; and
- (b) follow the instructions in that Part to work out:
 - (i) the annual amount for each spectrum access under the licence; or
 - (ii) the annual amount of transmitter licence tax for the licence; and
- (c) use Schedule 4 to work out the amount of transmitter licence tax for the period of the licence.

Note Schedule 4 includes arrangements to round amounts of transmitter licence tax under that Schedule.

Part 3 **Revocation of *Radiocommunications (Transmitter Licence Tax) Determination 2003***

3.1 ***Radiocommunications (Transmitter Licence Tax) Determination 2003* — revocation**

The *Radiocommunications (Transmitter Licence Tax) Determination 2003* is revoked.

3.2 **Transitional arrangements**

- (1) In spite of the revocation of the *Radiocommunications (Transmitter Licence Tax) Determination 2003*, if:
 - (a) apparatus licence tax is imposed on the issue of a transmitter licence; and
 - (b) the licence is issued on or after 1 December 2003; and
 - (c) the licence comes into force before 15 December 2003;that Determination is to be used to work out the amount of the transmitter licence tax.
- (2) In spite of the revocation of the *Radiocommunications (Transmitter Licence Tax) Determination 2003*, if:
 - (a) apparatus licence tax is imposed on the anniversary of the day on which a transmitter licence came into force; and
 - (b) the anniversary of the licence is on or after 1 December 2003 but before 15 December 2003;that Determination is to be used to work out the amount of the transmitter licence tax.
- (3) In spite of the revocation of the *Radiocommunications (Transmitter Licence Tax) Determination 2003*, if:
 - (a) apparatus licence tax is imposed on the holding of a transmitter licence; and
 - (b) the day when the tax is payable is on or after 1 December 2003 but before 15 December 2003;that Determination is to be used to work out the amount of the transmitter licence tax.
- (4) If:
 - (a) apparatus licence tax is imposed on the issue of a transmitter licence; and
 - (b) the licence is issued on or after 1 December 2003; and

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- (c) the licence comes into force on or after 15 December 2003;
this Determination is to be used to work out the amount of the transmitter licence tax.
- (5) If:
- (a) apparatus licence tax is imposed on the anniversary of the day on which a transmitter licence came into force; and
 - (b) the anniversary of a licence is on or after 15 December 2003;
this Determination is to be used to work out the amount of the transmitter licence tax.
- (6) If:
- (a) apparatus licence tax is imposed on the holding of a transmitter licence;
and
 - (b) the day when the tax is payable is on or after 15 December 2003;
this Determination is to be used to work out the amount of the transmitter licence tax.

Schedule 1 Area densities

(subsection 2.1 (1))

Part 1 Areas

101 Map grid coordinates

The Australian Map Grid coordinates specified in this Schedule are based on the 1966 Australian Geodetic Datum.

Note A reference in this Schedule to *Australia* includes the external Territories: see section 5 of the *Radiocommunications Act 1992*, as applied by section 5 of the Act.

102 Sydney area

In this Schedule, the *Sydney area* is the area located:

- (a) in Zone 56 of the Australian Map Grid; and
- (b) inside the boundary:
 - (i) starting at easting 230000 and northing 6230000 of the Grid; and
 - (ii) proceeding in a straight line to easting 325000 and northing 6355000 of the Grid; and
 - (iii) proceeding in a straight line to easting 391000 and northing 6307000 of the Grid; and
 - (iv) proceeding in a straight line to easting 300000 and northing 6150000 of the Grid; and
 - (v) proceeding in a straight line to easting 230000 and northing 6230000 of the Grid.

103 Melbourne area

In this Schedule, the *Melbourne area* is the area located:

- (a) in Zone 55 of the Australian Map Grid; and
- (b) inside the boundary:
 - (i) starting at easting 250000 and northing 5743000 of the Grid; and
 - (ii) proceeding in a straight line to easting 250000 and northing 5868000 of the Grid; and
 - (iii) proceeding in a straight line to easting 375000 and northing 5868000 of the Grid; and
 - (iv) proceeding in a straight line to easting 375000 and northing 5743000 of the Grid; and
 - (v) proceeding in a straight line to easting 250000 and northing 5743000 of the Grid.

104 **Brisbane area**

In this Schedule, the *Brisbane area* is the area located:

- (a) in Zone 56 of the Australian Map Grid; and
- (b) inside the boundary:
 - (i) starting at easting 510000 and northing 6860000 of the Grid; and
 - (ii) proceeding in a straight line to easting 450000 and northing 6965000 of the Grid; and
 - (iii) proceeding in a straight line to easting 490000 and northing 7040000 of the Grid; and
 - (iv) proceeding in a straight line to easting 515000 and northing 7020000 of the Grid; and
 - (v) proceeding in a straight line to easting 570000 and northing 6880000 of the Grid; and
 - (vi) proceeding in a straight line to easting 540000 and northing 6860000 of the Grid; and
 - (vii) proceeding in a straight line to easting 510000 and northing 6860000 of the Grid.

105 **Perth area**

In this Schedule, the *Perth area* is the area located:

- (a) in Zone 50 of the Australian Map Grid; and
- (b) inside the boundary:
 - (i) starting at easting 370000 and northing 6420000 of the Grid; and
 - (ii) proceeding in a straight line to easting 370000 and northing 6490000 of the Grid; and
 - (iii) proceeding in a straight line to easting 425000 and northing 6490000 of the Grid; and
 - (iv) proceeding in a straight line to easting 425000 and northing 6420000 of the Grid; and
 - (v) proceeding in a straight line to easting 370000 and northing 6420000 of the Grid.

106 **Adelaide area**

In this Schedule, the *Adelaide area* is the area located:

- (a) in Zone 54 of the Australian Map Grid; and
- (b) inside the boundary:
 - (i) starting at easting 260000 and northing 6102250 of the Grid; and
 - (ii) proceeding in a straight line to easting 260000 and northing 6162250 of the Grid; and
 - (iii) proceeding in a straight line to easting 313000 and northing 6162250 of the Grid; and

- (iv) proceeding in a straight line to easting 313000 and northing 6102250 of the Grid; and
- (v) proceeding in a straight line to easting 260000 and northing 6102250 of the Grid.

107 Newcastle area

In this Schedule, the *Newcastle area* is the area located:

- (a) in Zone 56 of the Australian Map Grid; and
- (b) inside the boundary:
 - (i) starting at easting 325000 and northing 6355000 of the Grid; and
 - (ii) proceeding in a straight line to easting 378000 and northing 6403000 of the Grid; and
 - (iii) proceeding in a straight line to easting 410000 and northing 6381000 of the Grid; and
 - (iv) proceeding in a straight line to easting 441000 and northing 6381000 of the Grid; and
 - (v) proceeding in a straight line to easting 391000 and northing 6307000 of the Grid; and
 - (vi) proceeding in a straight line to easting 325000 and northing 6355000 of the Grid.

Part 2 Density types

201 High density

The area density type of a spectrum access is *high density* if:

- (a) the spectrum access is in, or includes, the Sydney area, the Melbourne area or the Brisbane area; and
- (b) items 203 and 204 do not apply to the relevant licence or the spectrum access.

202 Medium density

The area density type of a spectrum access is *medium density* if:

- (a) the spectrum access is not in, and does not include, the Sydney area, the Melbourne area or the Brisbane area; and
- (b) the spectrum access is in, or includes, the Perth area, the Adelaide area or the Newcastle area; and
- (c) items 203 and 204 do not apply to the relevant licence or the spectrum access.

203 Low density

- (1) The area density type of a spectrum access is *low density* if:
- (a) the spectrum access is not in any of the areas mentioned in Part 1; and
 - (b) the spectrum access does not include any of the areas mentioned in Part 1; and
 - (c) item 204 does not apply to the spectrum access.
- (2) The area density type of:
- (a) a maritime ship licence authorising the licensee to operate a maritime ship station (wherever situated); or
 - (b) an aircraft licence authorising the licensee to operate an aircraft station (wherever situated); or
 - (c) a spectrum access authorising the licensee to operate a device in Australian waters only;
- is *low density*.

204 Australia wide

The area density type of:

- (a) a spectrum access under a space licence, authorising the licensee to operate a space station to transmit to an earth station anywhere in Australia; or
 - (b) a spectrum access under any other licence, authorising the licensee to operate a device anywhere in Australia;
- is *Australia wide*.

205 Area density — space licence

The area density type of a spectrum access under a space licence authorising the licensee to operate a space station to transmit to an earth station at a specified location or access area in Australia is the area density type that would apply to the earth station if:

- (a) it were being operated under a spectrum access authorising the operation of the station at the location or area; and
- (b) the area density type of the spectrum access were worked out under this Part (other than under paragraph 203 (2) (a), paragraph 203 (2) (b) or item 204).

Schedule 2 General tax tables

(subsection 2.1 (2))

101 The general tax tables

The following general tax tables are used in Parts 1, 2, 3, 4 and 5 of Schedule 3.

Frequency Range	Bandwidth Range	Amount (\$)			
		Australia wide	High density	Medium density	Low density
0–30 MHz	0–18 kHz	3.7950	3.7950	3.7950	3.7950
	>18–36 kHz	11.3851	11.3851	11.3851	11.3851
	>36–200 kHz	49.7573	49.7573	49.7573	49.7573
	>200–500 kHz	147.5852	147.5852	147.5852	147.5852
	>500–2 000 kHz	527.0899	527.0899	527.0899	527.0899
	>2–7 MHz	1 897.5237	1 897.5237	1 897.5237	1 897.5237
	>7–14 MHz	4 427.5553	4 427.5553	4 427.5553	4 427.5553
	>14–30 MHz	9 276.7825	9 276.7825	9 276.7825	9 276.7825
	>30–50 MHz	16 866.8772	16 866.8772	16 866.8772	16 866.8772
	>50–200 MHz	52 708.9913	52 708.9913	52 708.9913	52 708.9913
	>200 MHz	147 585.1755	147 585.1755	147 585.1755	147 585.1755
>30–70 MHz	0–18 kHz	17.1490	6.6981	3.5628	0.7689
	>18–36 kHz	51.4469	20.0942	10.6884	2.3066
	>36–200 kHz	224.8420	87.8192	46.7123	10.0806
	>200–500 kHz	666.9044	260.4807	138.5535	29.9002
	>500–2 000 kHz	2 381.8013	930.2880	494.8341	106.7864
	>2–7 MHz	8 574.4846	3 349.0369	1 781.4026	384.4311
	>7–14 MHz	20 007.1308	7 814.4195	4 156.6061	897.0059
	>14–30 MHz	41 919.7027	16 373.0695	8 709.0795	1 879.4409
	>30–50 MHz	76 217.6412	29 769.2172	15 834.6900	3 417.1652
	>50–200 MHz	238 180.1288	93 028.8038	49 483.4063	10 678.6413
	>200 MHz	666 904.3605	260 480.6505	138 553.5375	29 900.1955

Frequency Range	Bandwidth Range	Amount (\$)			
		Australia wide	High density	Medium density	Low density
>70–960 MHz	0–18 kHz	17.5941	8.6246	3.9464	0.7407
	>18–36 kHz	52.7823	25.8739	11.8391	2.2221
	>36–200 kHz	230.6782	113.0785	51.7411	9.7116
	>200–500 kHz	684.2150	335.4022	153.4694	28.8055
	>500–2 000 kHz	2 443.6250	1 197.8650	548.1051	102.8766
	>2–7 MHz	8 797.0500	4 312.3139	1 973.1783	370.3558
	>7–14 MHz	20 526.4500	10 062.0658	4 604.0827	864.1635
	>14–30 MHz	43 007.8000	21 082.4236	9 646.6495	1 810.6284
	>30–50 MHz	78 196.0000	38 331.6792	17 539.3628	3 292.0516
	>50–200 MHz	244 362.5000	119 786.4975	54 810.5088	10 287.6613
	>200 MHz	684 215.0000	335 402.1930	153 469.4245	28 805.4515
>960–2 690 MHz	0–18 kHz	17.5677	3.9428	1.8227	0.9167
	>18–36 kHz	52.7031	11.8285	5.4682	2.7500
	>36–200 kHz	230.3322	51.6950	23.8983	12.0183
	>200–500 kHz	683.1887	153.3326	70.8847	35.6476
	>500–2 000 kHz	2 439.9596	547.6164	253.1596	127.3129
	>2–7 MHz	8 783.8544	1 971.4189	911.3744	458.3263
	>7–14 MHz	20 495.6603	4 599.9774	2 126.5402	1 069.4280
	>14–30 MHz	42 943.2883	9 638.0480	4 455.6081	2 240.7064
	>30–50 MHz	78 078.7060	17 523.7236	8 101.1056	4 074.0116
	>50–200 MHz	243 995.9563	54 761.6363	25 315.9550	12 731.2863
	>200 MHz	683 188.6775	153 332.5815	70 884.6740	35 647.6015
>2.69–5.0 GHz	0–18 kHz	17.5484	3.2602	1.3213	0.9448
	>18–36 kHz	52.6451	9.7806	3.9640	2.8344
	>36–200 kHz	230.0784	42.7447	17.3239	12.3874
	>200–500 kHz	682.4360	126.7850	51.3845	36.7423
	>500–2 000 kHz	2 437.2716	452.8037	183.5162	131.2227
	>2–7 MHz	8 774.1777	1 630.0934	660.6585	472.4016
	>7–14 MHz	20 473.0812	3 803.5512	1 541.5364	1 102.2704
	>14–30 MHz	42 895.9797	7 969.3453	3 229.8858	2 309.5189

Frequency Range	Bandwidth Range	Amount (\$)			
		Australia wide	High density	Medium density	Low density
	>30–50 MHz	77 992.6904	14 489.7188	5 872.5196	4 199.1252
	>50–200 MHz	243 727.1575	45 280.3713	18 351.6238	13 122.2663
	>200 MHz	682 436.0410	126 785.0395	51 384.5465	36 742.3455
>5.0–8.5 GHz	0–18 kHz	14.8160	2.7394	1.2756	0.5806
	>18–36 kHz	44.4480	8.2182	3.8267	1.7418
	>36–200 kHz	194.2541	35.9166	16.7242	7.6124
	>200–500 kHz	576.1775	106.5323	49.6056	22.5791
	>500–2 000 kHz	2 057.7766	380.4724	177.1628	80.6396
	>2–7 MHz	7 407.9958	1 369.7007	637.7861	290.3027
	>7–14 MHz	17 285.3235	3 195.9683	1 488.1676	677.3729
	>14–30 MHz	36 216.8684	6 696.3145	3 118.0655	1 419.2574
	>30–50 MHz	65 848.8516	12 175.1172	5 669.2100	2 580.4680
	>50–200 MHz	205 777.6613	38 047.2413	17 716.2813	8 063.9625
	>200 MHz	576 177.4515	106 532.2755	49 605.5875	22 579.0950
>8.5–31.3 GHz	0–18 kHz	8.9923	2.3506	0.5560	0.0405
	>18–36 kHz	26.9770	7.0517	1.6679	0.1214
	>36–200 kHz	117.8996	30.8186	7.2894	0.5306
	>200–500 kHz	349.7023	91.4111	21.6212	1.5737
	>500–2 000 kHz	1 248.9367	326.4683	77.2186	5.6203
	>2–7 MHz	4 496.1723	1 175.2859	277.9868	20.2332
	>7–14 MHz	10 491.0686	2 742.3337	648.6358	47.2108
	>14–30 MHz	21 981.2866	5 745.8421	1 359.0465	98.9179
	>30–50 MHz	39 965.9756	10 446.9856	2 470.9936	179.8508
	>50–200 MHz	124 893.6738	32 646.8300	7 721.8550	562.0338
	>200 MHz	349 702.2865	91 411.1240	21 621.1940	1 573.6945
>31.3 GHz	0–18 kHz	1.7805	0.9483	0.2059	0.0070
	>18–36 kHz	5.3416	2.8450	0.6176	0.0211
	>36–200 kHz	23.3446	12.4336	2.6989	0.0923
	>200–500 kHz	69.2426	36.8792	8.0053	0.2737
	>500–2 000 kHz	247.2949	131.7114	28.5904	0.9775

Frequency Range	Bandwidth Range	Amount (\$)			
		Australia wide	High density	Medium density	Low density
	>2-7 MHz	890.2615	474.1610	102.9255	3.5188
	>7-14 MHz	2 077.2767	1 106.3757	240.1595	8.2106
	>14-30 MHz	4 352.3894	2 318.1204	503.1913	17.2031
	>30-50 MHz	7 913.4352	4 214.7644	914.8932	31.2784
	>50-200 MHz	24 729.4850	13 171.1388	2 859.0413	97.7450
	>200 MHz	69 242.5580	36 879.1885	8 005.3155	273.6860

Schedule 3 Annual amounts

(subsection 2.1 (3))

Part 1 General rules

101 Uses of stations

- (1) If an item in this Schedule refers to a licence that authorises the use of a station of a particular kind, the item also applies to a licence that authorises the operation of:
 - (a) more than 1 station of that kind; or
 - (b) 2 or more stations, including 1 or more stations of that kind; or
 - (c) remote or supplementary stations.
- (2) The authorisation of the operation of:
 - (a) remote stations on a transmit frequency that is the same as a receive frequency or a transmit frequency of the station or stations of a kind; or
 - (b) supplementary stations;does not constitute a separate spectrum access for working out transmitter licence tax.

Part 2 Assigned licences

201 Licences

- (1) This Part applies to a licence that relates to any of the following stations:
 - (a) an aeronautical assigned station;
 - (b) an aircraft assigned station;
 - (c) an HF Domestic Service station;
 - (d) an HF Overseas Service station;
 - (e) an HF Overseas (IBL) Service station;
 - (f) a narrowcasting service station;
 - (g) a fixed earth station;
 - (h) a mobile earth station;
 - (i) an ambulatory station;
 - (j) a CBRS repeater station;
 - (k) a major coast A station;
 - (l) a major coast B station;
 - (m) a limited coast assigned system station;
 - (n) a ship station class B assigned station;
 - (o) a ship station class C assigned station;

- (p) an outpost assigned station;
 - (q) a PMTS class A;
 - (r) a radiodetermination station;
 - (s) a scientific assigned station;
 - (t) a space station.
- (2) This Part also applies to any other licence that is not mentioned in another Part of this Schedule.

202 Annual amount of tax for spectrum access

Subject to items 203 and 204, the amount of tax in respect of each spectrum access under the licence is the amount specified in the general tax tables for:

- (a) the frequency range applicable to the spectrum access; and
- (b) the bandwidth range applicable to the spectrum access; and
- (c) the area density type applicable to the spectrum access.

Note Schedule 1 sets out the area density types of spectrum accesses. Schedule 2 sets out the general tax tables.

203 Space licence

If:

- (a) a spectrum access under a space licence involves the use of spectrum in the 2 483.5–2 500 MHz band; and
- (b) the spectrum access is not a low power spectrum access; and
- (c) CDMA technology is used to transmit on a frequency within that frequency range;

the amount of tax in respect of the spectrum access is the amount worked out under item 202 for the spectrum access, divided by 4.

204 Low power spectrum access

The amount of tax in respect of a low power spectrum access is the amount worked out under item 202 for the spectrum access, divided by 10.

205 Minimum annual amount

If the amount of tax worked out in respect of a spectrum access using items 202, 203 and 204 is less than \$28.67, the amount of tax is taken to be \$28.67.

Part 3 Assigned licences in high demand frequency bands

301 Licences

This Part applies to a licence that relates to any of the following:

- (a) a narrowband area service station (other than a station operated in the frequency range 70–960 MHz);
- (b) a point to multipoint station (land mobile spectrum);
- (c) a point to multipoint system;
- (d) a land mobile system;
- (e) a paging system;
- (f) an ambulatory system.

302 Annual amount of tax for spectrum access

Subject to item 303, the amount of tax in respect of each spectrum access under the licence is the amount specified in the general tax tables for:

- (a) the frequency range applicable to the spectrum access; and
 - (b) the bandwidth range applicable to the spectrum access; and
 - (c) the area density type applicable to the spectrum access;
- multiplied by 73.93646.

Note Schedule 1 sets out the area density types of spectrum accesses. Schedule 2 sets out the general tax tables.

303 Low power spectrum access

The amount of tax in respect of a low power spectrum access is the amount worked out under item 302 for the spectrum access, divided by 10.

304 Minimum annual amount

If the amount of tax worked out in respect of a spectrum access using items 302 and 303 is less than \$28.67, the amount of tax is taken to be \$28.67.

Part 4 Assigned Fixed Licences

401 Licences

This Part applies to a licence that relates to any of the following stations:

- (a) a point to point station;
- (b) a point to point station with a frequency of less than 960 MHz, in a high or medium density area;
- (c) a point to multipoint station;

- (d) a point to multipoint station with a frequency of less than 960 MHz, in a high or medium density area.

402 Annual amount of tax for spectrum access

Subject to item 403, the amount of tax in respect of each spectrum access under the licence is the amount specified in the general tax tables for:

- (a) the frequency range applicable to the spectrum access; and
 - (b) the bandwidth range applicable to the spectrum access; and
 - (c) the area density type applicable to the spectrum access;
- multiplied by 0.43693296.

Note Schedule 1 sets out the area density types of spectrum accesses. Schedule 2 sets out the general tax tables.

403 Low power spectrum access

The amount of tax in respect of a low power spectrum access is the amount worked out under item 402 for the spectrum access, divided by 10.

404 Minimum annual amount

- (1) If:
 - (a) a spectrum access relates to the operation of a point to point station:
 - (i) with a frequency of less than 960 MHz; and
 - (ii) in a high or medium density area; and
 - (b) the amount of tax worked out in respect of the spectrum access using items 402 and 403 and Schedule 4 is less than \$50;

the amount of tax is taken to be \$50.
- (2) If:
 - (a) a spectrum access relates to the operation of a point to multipoint station:
 - (i) with a frequency of less than 960 MHz; and
 - (ii) in a high or medium density area; and
 - (b) the amount of tax worked out in respect of the spectrum access using items 402 and 403 and Schedule 4 is less than \$100;

the amount of tax is taken to be \$100.
- (3) If:
 - (a) the amount of tax worked out in respect of a spectrum access using items 402 and 403 is less than \$28.67; and
 - (b) subitems (1) and (2) do not apply;

the amount of tax is taken to be \$28.67.

Part 5 Fixed television outside broadcast station

501 Licences

This Part applies to a licence that relates to a television outside broadcast station.

502 Annual amount of tax for spectrum access

The amount of tax in respect of each spectrum access under the licence is the amount specified in the general tax tables for:

- (a) the frequency range applicable to the spectrum access; and
 - (b) the bandwidth range applicable to the spectrum access; and
 - (c) the area density type applicable to the spectrum access;
- multiplied by 0.51300772.

Note Schedule 1 sets out the area density types of spectrum accesses. Schedule 2 sets out the general tax tables.

503 Minimum annual amount

If the amount of tax worked out in respect of a spectrum access using item 502 is less than \$28.67, the amount of tax is taken to be \$28.67.

Part 6 Narrowband Broadcasting (70–960 MHz)

601 Licences

This Part applies to a licence that relates to a narrowband area service station for 1 spectrum access operating within the frequency range 70 MHz–960 MHz.

602 Annual amount of tax for each 36 kHz of bandwidth

Subject to item 603, the amount of tax in respect of each 36 kHz of bandwidth or part of 36 kHz of bandwidth is set out in the following table.

Item	Area Density	Amount
1	Australia wide	\$3 902.54
2	High density	\$1 913.02
3	Medium density	\$875.34
4	Low density	\$164.30

Note Schedule 1 sets out the area density types of spectrum accesses.

603 Low power spectrum access

The amount of tax in respect of a low power spectrum access is the amount worked out under item 602 for the spectrum access, divided by 10.

604 Minimum annual amount

If the amount of tax worked out in respect of a spectrum access using items 602 and 603 is less than \$28.67, the amount of tax is taken to be \$28.67.

Part 7 Assigned licences subject to a fixed annual tax

701 Licences

This Part applies to a licence that relates to a service specified in item 702.

702 Annual amount of tax for licence

The amount of tax in respect of the licence is set out in the following table.

Item	Service	Amount
1	Broadcasting service (other than a service operated in the frequency range 2.3 MHz–26.1 MHz)	\$28.67 per transmitter
2	Datacasting service	\$28.67
3	Point to point station operated in the 58 GHz band	\$201.00 per pair of spectrum accesses
4	Television outside broadcast network	\$288 212.00
5	Television outside broadcast system (Australia wide density area)	\$30 883.00
6	Television outside broadcast system (High density area)	\$5 710.00
7	Television outside broadcast system (Medium density area)	\$2 659.00
8	Television outside broadcast system (Low density area)	\$1 211.00
9	PABX cordless telephone service	\$28.67
10	Land mobile system (cellular configuration) (High density area)	\$2 077.32 per spectrum access
11	Land mobile system (cellular configuration) (Medium density area)	\$1 039.64 per spectrum access
12	Land mobile system (cellular configuration) (Low density area)	\$328.59 per spectrum access

Item	Service	Amount
13	Multipoint Distribution Station licence that: (a) was issued before 1 January 1996; and (b) does not relate to a multipoint distribution repeater station; and (c) relates to an area mentioned in the MDS Licences Determination No. 1 of 1994, as in force on 12 April 1996	\$30 809.00
14	Multipoint Distribution Station licence that: (a) was issued for an area containing at least 500 000 people; and (b) relates to an area mentioned in the MDS Regional Licences Determination No. 1 of 1995, as in force on 12 April 1996	\$30 809.00
15	Multipoint Distribution Station licence that: (a) was issued for an area containing at least 200 000 people but less than 500 000 people; and (b) relates to an area mentioned in the MDS Regional Licences Determination No. 1 of 1995, as in force on 12 April 1996	\$15 404.00
16	Multipoint Distribution Station licence that: (a) was issued for an area containing at least 10 000 people but less than 200 000 people; and (b) relates to an area mentioned in the MDS Regional Licences Determination No. 1 of 1995, as in force on 12 April 1996	\$7 703.00
17	Multipoint Distribution Station licence that: (a) was issued for an area containing less than 10 000 people; and (b) relates to an area mentioned in the MDS Regional Licences Determination No. 1 of 1995, as in force on 12 April 1996	\$1 275.00
18	Multipoint Distribution Station licence that: (a) was issued on or after 1 January 1996; and (b) relates to the Alice Springs area mentioned in item 2 of Schedule 2 to the MDS Licences Determination No. 1 of 1994	\$7 703.00

Item	Service	Amount
19	Multipoint Distribution Station licence that: (a) was issued on or after 1 January 1996; and (b) relates to the Canberra area mentioned in item 5 of Schedule 2 to the MDS Licences Determination No. 1 of 1994	\$30 809.00
20	Multipoint Distribution Station licence that: (a) was issued on or after 1 December 1997; and (b) relates to the Alice Springs area mentioned in subclause 1.4 (1) of the MDS Licences Determination No. 1 of 1997	\$7 703.00
21	Multipoint Distribution Station licence that relates to the operation of a multipoint distribution repeater station	\$85.00
22	Multipoint Distribution Station licence that relates to the operation of a station to which items 13 to 21 (inclusive) do not apply	\$200.00
23	PMTS Class B operated in the 900 MHz frequency band	\$2 338 338.00 for each MHz on which the service may be operated
24	PMTS Class B operated in the 1.8 GHz frequency band	\$0.01 for each paired MHz of spectrum on which the service may be operated multiplied by the population of the area to which the service relates as worked out in the 1991 Census
25	Non-geostationary orbit satellite system operated at a frequency of more than 8.5 GHz	\$204 for each MHz on which the service may be operated

Part 8 High Power Open Narrowcasting Services — Broadcasting Licences allocated under NAS Licences Determination No. 1 of 1994

801 Licences

This Part applies to a broadcasting licence that:

- (a) was allocated under the NAS Licences Determination No. 1 of 1994;
and
- (b) authorises the provision of an open narrowcasting service:
 - (i) within the frequency range 526.5 kHz–1 606.5 kHz or
87.5 MHz–108 MHz; and
 - (ii) in a period starting after 1 July 2002 and ending before 1 July
2007.

802 Annual amount of tax for licence

The amount of tax in respect of the licence is set out in the following table.

Item	Location of open narrowcasting service	Amount
1	Sydney	\$101 353
2	Gosford	\$13 725
3	Melbourne	\$89 739
4	Geelong	\$13 725
5	Adelaide	\$19 004
6	Perth	\$30 617
7	Hobart	\$1 162

Note These areas are not the same as the density areas described in Schedule 1.

Part 9 High Power Open Narrowcasting Services — Broadcasting Licences allocated under NAS Licences Determination No. 1 of 1994 and renewed on or after 1 July 2007, or allocated under Issue of Broadcasting (Narrowcasting) Transmitter Licences Determination No. 1 of 1996

901 Licences

- (1) This Part applies to a broadcasting licence that:
 - (a) is allocated under the NAS Licences Determination No. 1 of 1994; and
 - (b) authorises the provision of an open narrowcasting service within the frequency range 526.5 kHz–1 606.5 kHz or 87.5 MHz–108 MHz; and
 - (c) is renewed on or after 1 July 2007.
- (2) This Part also applies to a broadcasting licence that:
 - (a) is allocated under the Issue of Broadcasting (Narrowcasting) Transmitter Licences Determination No. 1 of 1996; and
 - (b) authorises the provision of open narrowcasting services within the frequency range 526.5 kHz–1 606.5 kHz or 87.5 MHz–108 MHz.

902 Annual amount of tax for licence

Subject to item 903, the amount of tax in respect of the licence is set out in the following table.

Item	Location of open narrowcasting service	Amount
1	Sydney	\$28 505
2	Melbourne	\$28 505
3	Brisbane	\$10 346
4	Adelaide	\$10 346
5	Perth	\$10 346
6	Perth City	\$10 346
7	Newcastle	\$2 639
8	Canberra	\$2 639
9	Wollongong	\$2 639
10	Gold Coast	\$2 639
11	Gosford	\$2 639

Item	Location of open narrowcasting service	Amount
12	Penrith	\$2 639
13	Hobart	\$1 162
14	Geelong	\$1 162
15	Nambour	\$1 162
16	Townsville	\$1 162
17	Cairns	\$1 162
18	Any other location	\$686

Note These areas are not the areas described in Schedule 1.

903 Limited power or coverage

If the licence area plan for the licence provides that:

- (a) the maximum effective radiated power for the relevant station is not more than 100 watts; or
- (b) the maximum electromotive force for the relevant station is not more than 100 volts; or
- (c) the coverage radius for the service is not more than 15 kilometres from the nominal location of the transmitter within the meaning given by the licence area plan;

the annual amount for the licence is the amount worked out under item 902, divided by 2.

904 Minimum annual amount

If the amount of tax worked out in respect of a spectrum access using items 902 and 903 is less than \$686, the amount of tax is taken to be \$686.

Part 10 Non-Assigned Licences

1001 Licences

This Part applies to a licence that relates to a non-assigned station specified in item 1002.

1002 Annual amount of tax for licence

The amount of tax in respect of the licence is set out in the following table.

Item	Station	Amount
1	Aeronautical non-assigned station	\$28.67
2	Amateur station	\$35.17
3	Limited coast marine rescue station	\$28.67
4	Limited coast non-assigned station	\$28.67
5	Outpost non-assigned station	\$28.67
6	Scientific non-assigned station	\$28.67
7	Ship station class B non-assigned	\$28.67
8	Ship station class C non-assigned	\$28.67
9	Sound outside broadcast station	\$28.67
10	Temporary fixed link station	\$1 198.22

Schedule 4 Working out transmitter licence tax for a particular licence period

(subsection 2.1 (4))

101 29 February in a year

If:

- (a) a licence is to be issued for a period of 12 months or more; and
- (b) 29 February happens during the licence period;

the day is to be disregarded in working out the amount of tax payable in respect of the issue, anniversary or holding of the licence.

102 Rounding

- (1) This item applies if an amount of transmitter licence tax worked out using this Schedule would be an amount that includes a part of a dollar.
- (2) If the part of the dollar is less than 50 cents, the amount of the tax is reduced to the nearest whole dollar.
- (3) If the part of the dollar is 50 cents or more, the amount of the tax is increased to the nearest whole dollar.

103 Table 1: full payment of licence tax

Use this table to work out tax in respect of the issue of a licence for a period of 12 months or less.

Use this table to work out tax in respect of the issue of a licence if:

- (a) the licence is issued for a period of more than 12 months; and
- (b) the licensee elected, in the licence application, that subsection 6 (2) of the Act was to apply to the licence.

Note 1 The effect of an election that subsection 6 (2) of the Act is to apply to a licence is that the full amount of tax is to be paid on the issue of the licence.

Note 2 The amount worked out using this table may be rounded in accordance with item 102.

Step 1 Find the relevant annual amount using Schedule 3.

Step 2 Multiply the annual amount by the number of days in the licence period.

Divide the result by 365.

Step 3A If:

- (a) the spectrum access relates to the operation of a point to point station with a frequency of less than 960 MHz in a high or medium density area; and

- (b) the amount worked out in step 2 is less than \$50.00;
increase the amount to \$50.00.
- Step 3B** If:
 - (a) the spectrum access relates to the operation of a point to multipoint station with a frequency of less than 960 MHz in a high or medium density area; and
 - (b) the amount worked out in step 2 is less than \$100.00;
increase the amount to \$100.00.
- Step 3C** If:
 - (a) the spectrum access is not described in step 3A or 3B; and
 - (b) the amount worked out in step 2 is less than \$28.67;
increase the amount to \$28.67.
- Step 4** Add up the amounts worked out for each spectrum access (if necessary).

If the licence is to be issued to an eligible person, multiply the result by 0.285.

104 Table 2: payment by instalments

Use this table to work out tax in respect of the issue of a licence, and each anniversary of the day the licence came into force, if:

- (a) the licence is issued for a period of more than 12 months; and
- (b) the licensee elected, in the licence application, that subsection 6 (3) of the Act was to apply to the licence.

Note 1 The effect of an election that subsection 6 (3) of the Act is to apply to a licence is that the amount of tax for the licence is to be paid in instalments due on the issue of the licence and each anniversary of the day the licence came into force occurring during the period the licence is in force.

Note 2 The amount worked out using this table may be rounded in accordance with item 102.

- Step 1** Find the relevant annual amount using Schedule 3.
- Step 2** If tax is being imposed on the last anniversary of the day on which the licence came into force:
 - (a) multiply its annual amount by the number of days in the period starting on the last anniversary and ending at the end of the licence period; and
 - (b) divide the result by 365.
- Step 3A** If:
 - (a) the spectrum access relates to the operation of a point to point station with a frequency of less than 960 MHz in a high or medium density area; and

- (b) the amount worked out in step 1 or 2 is less than \$50.00;
increase the amount to \$50.00.
- Step 3B** If:
- (a) the spectrum access relates to the operation of a point to multipoint station with a frequency of less than 960 MHz in a high or medium density area; and
- (b) the amount worked out in step 1 or 2 is less than \$100.00;
increase the amount to \$100.00.
- Step 3C** If:
- (a) the spectrum access is not described in step 3A or 3B; and
- (b) the amount worked out in step 1 or 2 is less than \$28.67;
increase the amount to \$28.67.
- Step 4** Add up the amounts worked out for each spectrum access (if necessary).
- If the licence is to be issued to an eligible person, multiply the result by 0.285.

105 Table 3: payment of remaining instalments

If:

- (a) a licence was issued for a period of more than 12 months; and
- (b) the licensee elects, under subsection 6 (5) of the Act, that the subsection is to apply to the licence;

use this table to work out tax in respect of the next anniversary of the day the licence came into force after the election is made.

Note The effect of an election that subsection 6 (5) of the Act is to apply to a licence is that all unpaid instalments of tax for the licence are to be paid in 1 payment.

If subsection 6 (6) of the Act applies to a licence, use this table to work out tax in respect of the holding of the licence on the day after the end of the 60 day period mentioned in that subsection.

Note 1 The effect of subsection 6 (6) of the Act is that all unpaid instalments of tax are required to be paid in 1 payment because of a failure by the licensee to pay an instalment within 60 days after an anniversary of the day the licence came into force.

Note 2 The amount worked out using this table may be rounded in accordance with item 102.

- Step 1** Find the relevant annual amount using Schedule 3.
- Step 2** Multiply the annual amount by the number of days in the period:
- (a) starting on the relevant anniversary of the day the licence came into force, and up to which payment of tax has been made; and

(b) ending at the end of the licence period.

Divide the result by 365.

Step 3A

If:

(a) the spectrum access relates to the operation of a point to point station with a frequency of less than 960 MHz in a high or medium density area; and

(b) the amount worked out in step 1 or 2 is less than \$50.00; increase the amount to \$50.00.

Step 3B

If:

(a) the spectrum access relates to the operation of a point to multipoint station with a frequency of less than 960 MHz in a high or medium density area; and

(b) the amount worked out in step 1 or 2 is less than \$100.00; increase the amount to \$100.00.

Step 3C

If:

(a) the spectrum access is not described in step 3A or 3B; and

(b) the amount worked out in step 1 or 2 is less than \$28.67; increase the amount to \$28.67.

Step 4

Add up the amounts worked out for each spectrum access (if necessary).

If the licence is to be issued to an eligible person, multiply the result by 0.285.

Dictionary

(section 1.3)

ACA means Australian Communications Authority.

Act means the *Radiocommunications (Transmitter Licence Tax) Act 1983*.

aeronautical assigned station means a station that:

- (a) is operated under an aeronautical licence; and
- (b) is operated on aeronautical frequencies specified in the transmitter licence that relates to the station.

aeronautical frequencies means frequencies specified in the spectrum plan that may be used for the purposes of aeronautical mobile services.

aeronautical licence means a licence issued for a station that:

- (a) is not fixed to an aircraft; and
- (b) is operated on aeronautical frequencies; and
- (c) is operated for purposes relating to:
 - (i) the operation of an aircraft; or
 - (ii) airport or aerodrome operations; and
- (d) in relation to an aircraft — includes a mobile station operated:
 - (i) on board the aircraft; or
 - (ii) on the ground in communication with the aircraft.

aeronautical non-assigned station means a station that:

- (a) is operated under an aeronautical licence; and
- (b) is operated:
 - (i) on aeronautical frequencies on a non assigned basis; or
 - (ii) on frequencies specified for the operation of aeronautical non assigned stations in a determination made under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

aircraft assigned station means a station that:

- (a) is operated under an aircraft licence; and
- (b) is operated on aeronautical frequencies specified in the transmitter licence that relates to the station.

aircraft licence means a licence issued for a station that:

- (a) is fixed on board an aircraft; and
- (b) is operated on aeronautical frequencies; and
- (c) may be operated on aeronautical mobile-satellite frequencies or radiodetermination frequencies.

amateur licence means a licence issued for a station that:

- (a) is operated for the purposes of self-training in radiocommunications, intercommunication using radiocommunications and technical investigation into radiocommunications by persons:
 - (i) who do so solely with a personal aim; and
 - (ii) who have no pecuniary interest in the outcome of the operations of the station; and
- (b) is operated on amateur frequencies or amateur frequency bands; and
- (c) may participate in the amateur-satellite service.

ambulatory station means a land mobile station that:

- (a) is operated principally for communications with other land mobile stations; and
- (b) if permitted by the transmitter licence that relates to the land mobile station — may communicate with:
 - (i) an aircraft station, but not on an aeronautical frequency; or
 - (ii) a maritime ship station, but not on a maritime frequency.

ambulatory system means a system comprising 1 or more land mobile stations that:

- (a) are operated under a land mobile licence; and
- (b) are operated principally for communications with other land mobile stations; and
- (c) if permitted by the land mobile licence — may communicate with:
 - (i) an aircraft station, but not on an aeronautical frequency; or
 - (ii) a maritime ship station, but not on a maritime frequency.

assigned basis, in relation to a licence, means circumstances in which 1 or more frequencies specified in the licence have been specifically selected for use under that licence.

Australian waters means the area:

- (a) starting at the low-water mark of a State or Territory; and
- (b) extending 200 nautical miles seaward from that mark.

broadcasting licence means a licence issued for a radiocommunications service comprising 1 or more stations that:

- (a) are operated for the purposes of delivering, by means other than by satellite, television programs or radio programs to persons having equipment appropriate for receiving the service, if the service is not:
 - (i) a service (including a teletext service) that provides no more than data, or no more than text and, in either case, is provided with or without associated images; or
 - (ii) a service that makes a program available on demand on a point-to-point basis, including a dial-up service; or
 - (iii) a service that the Minister determines by notice in the *Gazette* not to be a broadcasting service within the meaning of the *Broadcasting Services Act 1992*; and

-
- (b) may be operated for engineering tests if each station is intended to be used for the purpose of transmitting a service to which paragraph (a) applies.

broadcasting services bands has the meaning it has in the *Broadcasting Services Act 1992*.

CBRS repeater station means a station that:

- (a) is operated under a land mobile licence; and
- (b) is established at a fixed location for the reception and automatic retransmission of radio signals from CB stations.

CB station has the meaning it has in the *Radiocommunications (Citizen Band Radio Stations) Class Licence 2002*.

CDMA means Code Division Multiple Access.

datacasting licence means a licence issued for a radiocommunications service comprising one or more stations that are operated for the purpose of delivering a datacasting service by means other than satellite.

earth station means a radiocommunications transmitter that:

- (a) is not located on a space object; and
- (b) is used to transmit radio emissions to:
- (i) a space object; or
- (ii) an earth receive station by way of a space object.

effect date, for a licence, means the day when the licence comes into force for subsection 103 (1) or 130 (4) of the *Radiocommunications Act 1992*.

eligible person means:

- (a) for the issue of a licence authorising the licensee to operate a narrowcasting service station — a person proposing to operate the narrowcasting service station solely to provide open narrowcasting television services for community and educational non-profit purposes under the class licence for open narrowcasting television services determined by the Australian Broadcasting Authority under paragraph 117 (e) of the *Broadcasting Services Act 1992*; and
- (b) in any case — the Royal Flying Doctor Service of Australia.

fixed earth station means an earth station that is operating in the fixed-satellite service.

fixed licence means a licence issued for 1 or more stations that:

- (a) are located principally:
- (i) at fixed points specified in the transmitter licence that relates to the station; or
- (ii) in an area specified in the licence; and

- (b) are operated principally for communications with stations located:
 - (i) at 1 or more other fixed points specified in the licence; or
 - (ii) in an area specified in the licence; and
- (c) if permitted by the transmitter licence that relates to the station, may communicate with:
 - (i) an aircraft station, but not on an aeronautical frequency; and
 - (ii) a ship station, but not on a maritime frequency; and
 - (iii) a land mobile station, but not on a land mobile frequency.

HF Domestic Service station means a station that:

- (a) is operated under a broadcasting licence; and
- (b) provides a broadcasting service targeted to audiences in Australia; and
- (c) operates in the frequency range 2.3 MHz–26.1 MHz.

Note Under the *Radiocommunications Act 1992*, **Australia** includes the external Territories.

HF Overseas (IBL) Service station means a station that:

- (a) is operated under a broadcasting licence; and
- (b) provides an international broadcasting service within the meaning of section 18A of the *Broadcasting Services Act 1992*; and
- (c) operates in the frequency range 5.9 MHz–26.1 MHz.

Note Under the *Radiocommunications Act 1992*, **Australia** includes the external Territories.

HF Overseas Service station means a station that:

- (a) is operated under a broadcasting licence; and
- (b) provides a broadcasting service targeted to audiences outside Australia; and
- (c) operates in the frequency range 5.9 MHz–26.1 MHz.

Note Under the *Radiocommunications Act 1992*, **Australia** includes the external Territories.

high frequency, and **HF**, mean a frequency that exceeds 3 MHz but does not exceed 30 MHz.

Issue of Broadcasting (Narrowcasting) Transmitter Licences Determination No. 1 of 1996 means the *Radiocommunications (Issue of Broadcasting (Narrowcasting) Transmitter Licences) Determination No. 1 of 1996* made under subsection 106 (1) of the *Radiocommunications Act 1992*.

land mobile licence means a licence issued for a radiocommunications service that:

- (a) comprises 1 or more land stations or land mobile stations; and
- (b) is used for communications between:
 - (i) land stations and land mobile stations; or
 - (ii) land mobile stations; or
 - (iii) land mobile stations through another land station; or
 - (iv) land stations through another land station; and

-
- (c) may communicate with:
 - (i) an aircraft station, but not on an aeronautical frequency; or
 - (ii) a maritime ship station, but not on a maritime frequency.

land mobile station means a station that is established for use:

- (a) while the station is in motion on land; or
- (b) during halts at unspecified points on land.

land mobile system means a system comprising 1 or more land stations, and 1 or more land mobile stations, that:

- (a) are operated under a land mobile licence; and
- (b) are established for the principal purpose of two way communications.

land mobile system (cellular configuration) means:

- (a) a land mobile licence authorising the licensee to operate a land mobile system in a cellular configuration; and
- (b) where a spectrum access exists for each authorisation of the operation of a group of land stations that involves a combination of:
 - (i) a particular transmit frequency; and
 - (ii) a particular bandwidth; and
 - (iii) a geographical area (a circle with a radius of 40 kilometres from a specified site).

land station means a station that is established at a fixed point on land.

licence means a transmitter licence.

licence conditions determination, in relation to a licence, means licence conditions as determined by the ACA under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

licence period, for a licence, means the period starting on the licence's effect date and ending at the end of the day when the licence ceases to be in force.

limited coast assigned system means a system, comprising a maritime coast station and 1 or more maritime ship stations, that:

- (a) is operated under a maritime coast licence; and
- (b) is operated on maritime frequencies specified in the transmitter licence that relates to the station; and
- (c) is operated principally for communication between the maritime coast station and the maritime ship station or stations.

limited coast marine rescue station means a maritime coast station that:

- (a) is operated by a body that is prepared to provide a maritime emergency radiocommunications service to vessels at sea without discrimination; and
- (b) is used primarily for ship-to-shore and shore-to-ship communications; and
- (c) is used to provide a listening watch, and to transmit, on frequencies specified in:
 - (i) a licence conditions determination; or
 - (ii) the licence issued for the maritime coast station.

limited coast non-assigned station means a maritime coast station that:

- (a) is operated under a maritime coast licence; and
- (b) is operated:
 - (i) on maritime frequencies on a non-assigned basis; or
 - (ii) on frequencies specified for the operation of limited coast non-assigned stations in a determination made under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*; and
- (c) is not used to transmit, or receive, public correspondence.

low power spectrum access means a spectrum access that:

- (a) is authorised under a licence mentioned in item 201, paragraph 301 (a), paragraph 301 (b), paragraph 301 (d), paragraph 301 (e), paragraph 301 (f), paragraph 401 (d) or item 601 of Schedule 3; and
- (b) permits:
 - (i) the operation of a device at a power level of not more than 1 watt; or
 - (ii) a service to be provided only within the premises to which the licence applies.

major coast A station means a station that:

- (a) is operated under a maritime coast licence; and
- (b) is operated on maritime frequencies specified in the transmitter licence that relates to the station; and
- (c) is operated on land principally for transmitting messages to, and receiving messages from, a maritime ship station; and
- (d) may be used to transmit public correspondence to, or receive public correspondence from, a maritime ship station.

major coast B station means a station that:

- (a) is operated under a maritime coast licence; and
- (b) is operated on maritime frequencies specified in the transmitter licence that relates to the station; and
- (c) is operated on land principally for transmitting messages to, and receiving messages from, a maritime ship station; and
- (d) may be used to transmit public correspondence to, or receive public correspondence from, any of the following:
 - (i) a station on an aircraft that is not an aircraft station;
 - (ii) a land mobile station;
 - (iii) a remotely located land station;
 - (iv) a maritime ship station.

maritime coast licence means a licence issued for 1 or more stations that:

- (a) are operated on land principally for transmitting messages to, and receiving messages from, a maritime ship station; and
- (b) may communicate with any of the following:
 - (i) a station on an aircraft that is not an aircraft station;

- (ii) a land mobile station;
- (iii) a remotely located land station; and
- (c) are operated on maritime frequencies.

maritime coast station means a station that:

- (a) is operated on land principally for transmitting messages to, and receiving messages from, a maritime ship station; and
- (b) may communicate with any of the following:
 - (i) a station on an aircraft that is not an aircraft station;
 - (ii) a land mobile station;
 - (iii) a remotely located land station; and
- (c) is operated on maritime frequencies.

maritime frequencies means frequencies specified in the spectrum plan that may be used for the purposes of maritime mobile services.

maritime ship licence means a licence issued for a station that:

- (a) is operated on board a ship for communicating with:
 - (i) maritime coast stations; or
 - (ii) on-board communication stations associated with the maritime ship station, whether or not those stations are operated on board ships; and
- (b) may include equipment that is in a survival craft of the ship; and
- (c) may include a mobile earth station on board the ship; and
- (d) operates on maritime frequencies; and
- (e) operates on maritime mobile-satellite frequencies or radiodetermination frequencies.

maritime ship station means a station that:

- (a) is operated on board a ship for communicating with:
 - (i) maritime coast stations; or
 - (ii) on-board communication stations associated with the maritime ship station, whether or not those stations are operated on board ships; and
- (b) may include equipment that is in a survival craft of the ship; and
- (c) may include a mobile earth station on board the ship; and
- (d) operates on maritime frequencies; and
- (e) operates on maritime-mobile satellite frequencies or radiodetermination frequencies.

MDS Licences Determination No. 1 of 1994 means the *Radiocommunications (Allocation of Multipoint Distribution Station Licences) Determination No. 1 of 1994*, made under subsection 106 (1) of the *Radiocommunications Act 1992*.

MDS Licences Determination No. 1 of 1997 means the *Radiocommunications (Allocation of Multipoint Distribution Station Licences) Determination No. 1 of 1997*, made under subsection 106 (1) of the *Radiocommunications Act 1992*.

MDS Regional Licences Determination No. 1 of 1995 means the *Radiocommunications (Allocation of Multipoint Distribution Station Licences—Regional Licences) Determination No. 1 of 1995*, made under subsection 106 (1) of the *Radiocommunications Act 1992*.

mobile earth station means an earth station that is operating in the mobile-satellite service.

multipoint distribution repeater station means a station that is used:

- (a) for the reception of radio transmissions from a multipoint distribution station; and
- (b) for the automatic retransmission of those transmissions to multipoint distribution station receivers.

multipoint distribution station, and **MDS**, mean a station that, using a single frequency and an occupied bandwidth exceeding 4 MHz, transmits to at least 4 multipoint distribution station receivers.

multipoint distribution station receiver means a station:

- (a) established solely for the reception of radio transmissions from a multipoint distribution station or a multipoint distribution repeater station; and
- (b) that uses a single frequency and an occupied bandwidth exceeding 4 MHz.

narrowband area service station means a station that:

- (a) is operated under a broadcasting licence; and
- (b) provides one-way radio transmission to not less than 4 narrowband area receivers; and
- (c) uses an occupied bandwidth not exceeding 4 MHz.

narrowcasting service station means a station that:

- (a) is operated under a broadcasting licence; and
- (b) provides an open narrowcasting or a subscription narrowcasting service; and
- (c) operates only in broadcasting services bands.

NAS Licences Determination No. 1 of 1994 means the *Radiocommunications (Allocation of Narrowband Area Station Licences) Determination No. 1 of 1994* made under subsection 106 (1) of the *Radiocommunications Act 1992*.

non-assigned basis, for a licence to operate a station, means the basis on which a station operates on frequencies, where the ACA has not specified the operating frequencies for the station in the transmitter licence that relates to the station.

open narrowcasting service has the meaning it has in the *Broadcasting Services Act 1992*.

outpost assigned station means a station that:

- (a) is operated under an outpost licence; and
- (b) is operated on frequencies specified in the transmitter licence that relates to the station; and

- (c) is established for the transmission and reception of messages to and from fixed and mobile outpost stations.

outpost licence means a licence issued for an outpost station.

outpost non-assigned station means a station that:

- (a) is operated under an outpost licence; and
- (b) is operated:
- (i) on a non-assigned basis; or
 - (ii) on frequencies specified for the operation of outpost non-assigned stations in a determination made under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

outpost station means a station operating in the MF and HF bands that is principally established:

- (a) to provide radiocommunications in a remote locality at which a connection to a telecommunications network operated by a carrier or carriage service provider is not provided; or
- (b) if a connection to a telecommunications network operated by a carrier or carriage service provider is provided at the remote locality where the station is situated — to provide radiocommunications in the locality for the purposes of an emergency that involves:
- (i) prejudice to the security or defence of Australia; or
 - (ii) a serious threat to the environment; or
 - (iii) risk of injury to, or death of, a person; or
 - (iv) risk of damage to, or substantial loss of, property.

Note 1 The MF band is broadly defined as 300 kHz to 3 MHz: see Volume 1 of the International Telecommunication Union Radio Regulations published by the ITU, as in force from time to time.

Note 2 The HF band is broadly defined as 3 MHz to 30 MHz: see Volume 1 of the International Telecommunication Union Radio Regulations published by the ITU, as in force from time to time.

PABX cordless telephone service means a service that:

- (a) consists of 1 or more land stations used in conjunction with a PABX; and
- (b) if the service has more than 1 land station — has land stations sited so that the distance between any 2 land stations does not exceed 2 kilometres; and
- (c) operates in the frequency band from 857 MHz to 861 MHz.

paging system means a system:

- (a) that uses only paging technology; and
- (b) comprising 1 or more stations that:
- (i) are operated under a land mobile licence or a fixed licence; and
 - (ii) in an exterior paging application, comprise:
 - (A) a land station established for the purpose of one-way communication to 1 or more paging receivers; and
 - (B) 1 or more land stations that are used solely to improve service reliability within a 40 kilometre radius of the station mentioned in sub-subparagraph (A); and

- (iii) in an interior paging application:
 - (A) are used for communications with 1 or more paging receivers; and
 - (B) if permitted by the licence, may communicate with a mobile station that uses an interior paging talkback channel (within the meaning of section 3 of the *VHF High Band Frequency Band Plan (148 to 174 MHz) 1991*) to acknowledge receipt of a paging transmission; and
 - (C) are located within premises or restricted areas.

Note Section 9 of the *Radiocommunications Licence Conditions (Land Mobile Licence) Determination No. 1 of 1997* provides for conditions for the operation of an interior paging system for talkback.

PMTS Class A means a Public Mobile Telecommunications Service Class A, being a service that consists of 2 or more land stations that are operated:

- (a) under a PTS licence; and
- (b) by a person who:
 - (i) holds a carrier licence; or
 - (ii) is declared by the ACA to be a nominated carrier under section 81 of the *Telecommunications Act 1997*; and
- (c) for providing a public mobile telecommunications service; and
- (d) on a frequency or frequencies in the range 870 MHz to 890 MHz; and
- (e) if using AMPS technology, in accordance with an agreement that applies in an external Territory made under section 362 of the *Telecommunications Act 1997*.

PMTS Class B means a Public Mobile Telecommunications Service Class B, being a service that consists of 2 or more land stations that are:

- (a) operated under a PTS licence; and
- (b) operated by a person who holds a carrier licence; and
- (c) operated for providing a public mobile telecommunications service; and
- (d) operated on a frequency or frequencies in the range:
 - (i) 890 MHz to 915 MHz; or
 - (ii) 935 MHz to 960 MHz; or
 - (iii) 1 710 MHz to 1 725 MHz; or
 - (iv) 1 805 MHz to 1 820 MHz.

point to multipoint station means a station that:

- (a) is operated under a fixed licence; and
- (b) is operated principally for communication with more than 1 other fixed station; and
- (c) is operated on frequencies specified in the transmitter licence that relates to the station.

point to multipoint station (land mobile spectrum) means a fixed licence:

- (a) that:
 - (i) is issued under section 100 of the *Radiocommunications Act 1992* on or after 15 November 2002; or
 - (ii) was issued under section 100 of that Act on or after 15 November 2002, and is being renewed under section 130 of that Act; and
- (b) that authorises the licensee to provide services within the frequency range 403 MHz to 420 MHz or 450 MHz to 520 MHz, other than 1 or more of the following frequency bands:
 - (i) 451.5125 MHz to 452.5 MHz;
 - (ii) 461.0125 MHz to 462 MHz;
 - (iii) 500.99375 MHz to 504.99375 MHz;
 - (iv) 510.99375 MHz to 514.99375 MHz.

point to multipoint system means:

- (a) a fixed licence authorising the licensee to operate an unlimited number of point to multipoint stations located anywhere within the areas specified in the licence; and
- (b) where a spectrum access exists for each authorisation of the operation of a group of point to multipoint stations that involves a unique combination of:
 - (i) a particular transmit frequency; and
 - (ii) a particular bandwidth; and
 - (iii) a particular geographical area (a circle with a radius of a specified number of kilometres from a specified site).

point to point station means a station that:

- (a) is operated under a fixed licence; and
- (b) is operated principally for communication with 1 other fixed station; and
- (c) is operated on frequencies specified in the transmitter licence that relates to the station.

point to point station (58 GHz band) means a fixed licence authorising the licensee to operate a pair of point to point stations within the frequency range greater than 57.2 GHz and less than or equal to 58.2 GHz.

PTS means a Public Telecommunications Service.

PTS licence means an apparatus licence issued for a service that consists of 2 or more land stations that are operated:

- (a) by a person who holds a carrier licence; and
- (b) for providing a public mobile telecommunications service.

radiodetermination licence means a licence issued for a station that is operated:

- (a) to determine the position, velocity or other characteristics of an object; or
- (b) to obtain information relating to those characteristics;

by means of the propagation properties of radio waves.

radiodetermination station means a station that is operated under a radiodetermination licence.

remote station includes a station referred to on a licence as a **remote control station**.

scientific assigned station means a station that:

- (a) is operated under a scientific licence; and
- (b) is operated on a frequency or frequencies that are specified in the transmitter licence that relates to the station.

scientific licence means a licence issued for a station that is established only for the purpose of:

- (a) research into radiocommunications; or
- (b) investigation of radiocommunications; or
- (c) instruction in radiocommunications; or
- (d) demonstration of equipment; or
- (e) testing of equipment; or
- (f) radio propagation path testing.

scientific non-assigned station means a station that:

- (a) is operated under a scientific licence; and
- (b) is operated:
 - (i) on a non-assigned basis; or
 - (ii) on frequencies specified for the operation of scientific non assigned stations in a determination made under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

ship station Class B assigned means a maritime ship station that:

- (a) is operated under a maritime ship licence; and
- (b) may be used for the transmission and reception of messages on behalf of the public; and
- (c) is operated on maritime frequencies specified in the transmitter licence that relates to the station.

ship station Class B non-assigned means a maritime ship station that:

- (a) is operated under a maritime ship licence; and
- (b) may be used for the transmission and reception of messages on behalf of the public; and
- (c) is operated:
 - (i) on maritime frequencies on a non-assigned basis; or
 - (ii) on frequencies specified for the operation of ship station Class B non-assigned stations in a determination made under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

ship station Class C assigned means a maritime ship station that:

- (a) is operated under a maritime ship licence; and
- (b) is equipped in accordance with the *Navigation Act 1912*; and

- (c) is operated on maritime frequencies specified in the transmitter licence that relates to the station.

ship station Class C non-assigned means a maritime ship station that:

- (a) is operated under a maritime ship licence; and
- (b) is equipped in accordance with the *Navigation Act 1912*; and
- (c) is operated:
 - (i) on maritime frequencies on a non-assigned basis; or
 - (ii) on frequencies specified for the operation of ship station Class C non-assigned stations in a determination made under paragraph 107 (1) (f) of the *Radiocommunications Act 1992*.

sound outside broadcast station means a fixed station that:

- (a) is operated under a fixed licence; and
- (b) is established for the purpose of providing a temporary broadcasting coverage of an event.

space licence means an apparatus licence that authorises the operation of a space station.

space station means a radiocommunications transmitter on a space object.

spectrum access means access to the spectrum that is authorised for the operation of 1 or more radiocommunications devices that involves a unique combination of:

- (a) a particular transmit frequency; and
- (b) a particular bandwidth; and
- (c) a particular site or access area.

subscription narrowcasting service has the meaning it has in the *Broadcasting Services Act 1992*.

television outside broadcast network means a network comprising 1 or more television outside broadcast stations that are operated:

- (a) under a fixed licence; and
- (b) anywhere in Australia; and
- (c) on more than 1 frequency specified in the fixed licence.

television outside broadcast station means a station that:

- (a) is operated under a fixed licence; and
- (b) operates:
 - (i) on a frequency exceeding 1 GHz; and
 - (ii) between 2 points for a short period of time; and
- (c) is used only for the transmission of television signals and associated signals.

television outside broadcast system means a system comprising 1 or more television outside broadcast stations that are operated:

- (a) under a fixed licence; and
- (b) in an area specified in the fixed licence; and
- (c) on a frequency specified in the fixed licence.

temporary fixed link station means a station:

- (a) that is operated under a fixed licence; and
- (b) that is operated anywhere in Australia for a period of not more than 14 days; and
- (c) that is operated on a frequency or frequencies in the range:
 - (i) 12.75 GHz to 13.25 GHz; or
 - (ii) 14.5 GHz to 15.35 GHz; or
 - (iii) 21.2 GHz to 23.6 GHz; and
- (d) for which the ACA, or a person accredited under section 263 of the *Radiocommunications Act 1992*, undertakes coordination procedures for the purpose of minimising interference.

Note For the definitions of certain expressions used in this Determination, including the definitions of licence types and devices, see:

- (a) the *Radiocommunications (Interpretation) Determination 2000*, made by the ACA under section 54 of the *Australian Communications Authority Act 1997*; and
- (b) the *Radiocommunications Regulations 1993*.